

OPINION 952

AGAMA BIBRONII DUMÉRI, 1851 (REPTILIA): VALIDATED UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the specific name *bibronii* Fitzinger, 1843, as published in the combination *Trapelus (Psammorrhoea) bibronii*, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(2) The specific name *bibronii* Duméril, 1851, as published in the binomen *Agama bibronii*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2438.

(3) The specific name *bibronii* Fitzinger, 1843, as published in the combination *Trapelus (Psammorrhoea) bibronii* (as suppressed under the plenary powers in (1) above) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 961.

HISTORY OF THE CASE (Z.N.(S.) 1856)

The present case was submitted to the office of the Commission by Mr. Andrew F. Stimson in August 1968. Mr. Simpson's application was sent to the printer on 29 August 1968 and was published on 17 January 1969 in *Bull. zool. Nomencl.* **25** : 186-187. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two specialist serials. The proposal was supported by Prof. Hobart M. Smith, and an objection by Dr. D. Rhys van den Audenaerde was published in *Bull. zool. Nomencl.* **26** : 70. Miss A. G. C. Grandison pointed out (in litt.) that the fact that *A. bibronii* Duméril has been used mostly by French authors is explained by the fact that it is a species almost exclusively confined to French North Africa.

DECISION OF THE COMMISSION

On 1 June 1970 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (70)20 either for or against the proposals set out in *Bull. zool. Nomencl.* **25** : 186. At the close of the prescribed voting period on 1 September 1970 the state of the voting was as follows:

Affirmative votes—twelve (12), received in the following order: Holthuis, Melville, Lemche, Eisenmann, Vokes, Obruchev, Tortonese, Jaczewski, Munroe, Binder, Forest, Ride.

Negative votes—three (3): Sabrosky, Starobogatov, Mertens.

Voting Papers not returned—seven (7): do Amaral, Bonnet, Brinck, Evans, Kraus, Mayr, Simpson.

Commissioner Alvarado returned a late negative vote.

The following comments were made by Commissioners in returning their votes:

Mr. R. V. Melville (15.vi.70): Dr. Rhys van den Audenaerde asks what zoologists are to do if *A. bibronii* Fitzinger, 1843, is found to be different from *A. aculeata* Merrem, 1820. This situation cannot arise if, as stated in the application, the two names are objective synonyms.

Dr. C. W. Sabrosky (24.vi.70): Mertens's action was correct. The objections of Dr. Rhys van den Audenaerde are well taken.

ORIGINAL REFERENCES

The following are the original references for names placed on the Official List and Index by the Ruling given in the present Opinion:

bibronii, *Agama*, Duméril, 1851, *Cat. meth. Coll. Rept.*: 101

bibronii, *Trapelus* (*Psammodraco*), Fitzinger, 1843, *Syst. Rept.*: 81

CERTIFICATE

I certify that the votes cast on Voting Paper (70)20 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 952.

R. V. MELVILLE
Secretary

International Commission on Zoological Nomenclature
London

5 November 1970